



PATENT  
ATTORNEY DOCKET NO. 01831049

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KENNETH JOHN LAURENCE  
TERRY PAUL DREES  
KEVIN FRANCIS O'BRIEN  
ROBERT P. FAIRBANKS

Serial No.: 09/955,822

Filing Date: September 18, 2001

For: DECORATIVE LAMINATE AND  
METHOD OF PRODUCING SAME

) Group Art Unit: 1771

) Examiner: Lynda Salvatore

)  
CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"Express Mail" mailing label number EV989697165USUS  
Date of Deposit: November 3, 2003  
I hereby certify that this paper or fee is being deposited with  
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1450,  
Alexandria, VA 22313-1450

Douglas M. Eveleigh  
Douglas M. Eveleigh

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION AND ELECTION REQUIREMENT

Sir:

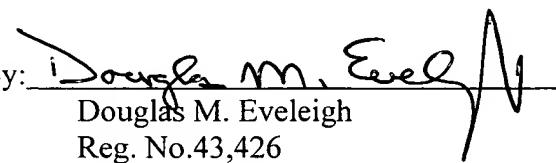
In the Office Action mailed October 3, 2003, the Examiner requires restriction under 35 U.S.C. § 121 between the claims of Group I (claims 1-19) and Group II (claims 20-42, 53-74 and 84-103) and Group III (claims 43-52 and 75-83). Applicants believe the restriction requirement is not warranted and therefore respectfully traverse that requirement, as discussed further below. However, in order to further prosecution, Applicants provisionally elect to prosecute Group II, claims 20-42, 53-24 and 84-103.

Applicants respectfully submit that the search and examination of Group I, Group II and Group III together can be made without serious burden. Section 803 of the MPEP states that, "[i]f the search and examination of an entire application can be made without serious burden, the examiner **must** examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). Applicants respectfully submit that all pending claims in

Groups I, II and III should be examined together in this application at least in view of  
Section 803.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 13-0019. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

By:   
Douglas M. Eveleigh  
Reg. No.43,426

MAYER, BROWN, ROWE & MAW LLP  
P.O. Box 2828  
Chicago, Illinois 60690-2828  
(312) 701-8075

Date: November 3, 2003



11-4-03

1771

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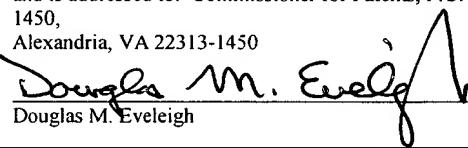
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**TRANSMITTAL LETTER**

Enclosed herewith for the above-identified application are the following:

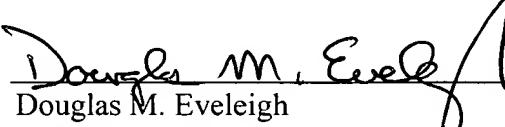
1. Response to Restriction and Election Requirement; and
2. Return Post Card for acknowledging receipt of same.

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication to our Deposit Account No. 13-0019.

Any inquiries regarding this communication should be directed toward the undersigned at (312) 701-8738.

Respectfully submitted,

Dated: November 3, 2003

By:   
Douglas M. Eveleigh  
Reg. No. 43,426

MAYER, BROWN, ROWE & MAW LLP  
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